



05-26-04

Attorney's Docket No.: 17105-059001/25886-0095

DFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : R. Pandey et al.

Serial No. : 10/613,474

Conf. No. : 4936

Filed : July 2, 2003

Title : EFFICIENT SYNTHESIS OF PYROPHEOPHORBIDE A AND ITS
DERIVATIVES

Art Unit : 1624

Examiner : Berch, M. L.

Cust No. : 20985

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Form PTO-1449 (4 pages) and cited references for filing in connection with the above-identified application. Because this Supplemental Information Disclosure Statement is filed prior to receipt of a first office action on the merits in the above-referenced application, no fee is due. However, should it be determined that a fee for filing these papers is required, the Commissioner is authorized to charge Deposit Account No. 06-1050, as stated below:

- [X] The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

Attorney Docket No.: 17105-059001 (25886-0095)

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I hereby certify that this paper and the attached papers are being deposited with the United States Postal Services as "Express Mail" Label No. EV 39929007 US in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

5/24/04

Stephanie L. Seidman



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. 1.97-1.98

Dear Sir:

Because this Supplemental Information Disclosure Statement is filed before the receipt of a First Office Action on the Merits for the above-captioned application, a fee for filing this statement should not be due. If, however, it is determined that a fee is due, any fees that may be due in connection with filing this paper may be charged to Deposit Account No. 06-1050.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §1.97-1.98. Forms PTO-1449 (4 pages) and copies of the cited documents are provided herewith.

The documents cited on the Forms PTO-1449 are in the English language with the exception of Item CM (Fischer et al.). Item CM is in the German language and is provided with an English language translation (Item CG). Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Further to the list provided in the communication filed on October 7, 2003, applicant also makes known to the Examiner the following pending U.S. and International Applications that have one or more common inventors and/or are commonly owned:

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Services as "Express Mail" Label No. EV 399294907 US in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

05/24/04

Stephanie L. Seidman

| U.S.S.N. | Filing Date | Publication or Issue No. | Publication or Issue Date | Docket No. |
|------------|-------------|--------------------------|---------------------------|------------|
| 09/592,150 | 06/12/00 | 6,624,187 | 09/23/03 | 0049 |
| 09/801,163 | 03/07/01 | 2002-0128303 | 09/12/02 | 0050 |
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| 10/091,144 | 03/04/02 | 2002-0127224 | 09/12/02 | 0066B |
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| Int'l App. No. | Filing Date | Publication No. | Publication Date | Docket No. |
|----------------|-------------|-----------------|------------------|------------|
| PCT/US03/02303 | 01/23/03 | WO03061696 | 07/31/03 | 0052PC |
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| 03010382.4 | 05/10/03 | | | CHEN0188 |
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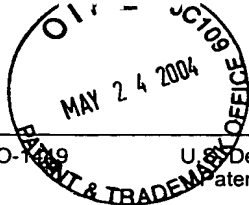
Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and they be made of record in the file history of the above-captioned application.

Respectfully submitted,

Stephanie L. Seidman
Reg. No. 33,779

Attorney Docket No.: 17105-059001 (25886-0095)
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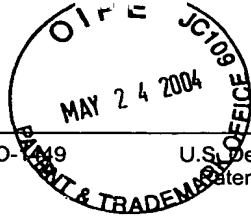


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|--|--|---|-------------------------------|
| Substitute Form PTO-1019 (Modified) List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b)) | U.S. Department of Commerce Patent and Trademark Office | Attorney Docket No. 17105-059001 (25886-0095) | Application No. 10/613,474 |
| | Applicant R. Pandey et al. | | |
| | Filing Date July 2, 2003 | Group Art Unit 1624 | |

U.S. Patent Documents

| Examiner Initial | Desig. ID | Document Number | Publication Date | Patentee | Class | Subclass | Filing Date If Appropriate |
|------------------|-----------|-----------------|------------------|------------------|-------|----------|----------------------------|
| | A | RE37,180 | 05/15/01 | Mori et al. | 514 | 410 | 04/29/99 |
| | B | 2001/0022970 | 09/20/01 | Dees et al. | 424 | 178.1 | 03/06/01 |
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| | AD | 5,004,811 | 04/02/91 | Bommer et al. | 540 | 145 | 12/24/87 |

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| Examiner Signature | Date Considered |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |



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| Substitute Form PTO-149 (Modified) List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b)) | U.S. Department of Commerce Patent and Trademark Office | Attorney Docket No. 17105-059001 (25886-0095) | Application No. 10/613,474 |
| | Applicant R. Pandey et al. | | |
| | Filing Date July 2, 2003 | Group Art Unit 1624 | |

U.S. Patent Documents

| Examiner Initial | Desig. ID | Document Number | Publication Date | Patentee | Class | Subclass | Filing Date If Appropriate |
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| Examiner Signature | Date Considered |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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| Substitute Form PTO-1449 (Modified) | U.S. Department of Commerce Patent and Trademark Office | Attorney Docket No. 17105-059001 (25886-0095) | Application No. 10/613,474 |
| List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b)) | | Applicant R. Pandey et al. | |
| | | Filing Date July 2, 2003 | Group Art Unit 1624 |

U.S. Patent Documents

| Examiner Initial | Desig. ID | Document Number | Publication Date | Patentee | Class | Subclass | Filing Date If Appropriate |
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| | BY | 6,657,351 | 12/02/03 | Chen et al. | 310 | 171 | 07/20/01 |

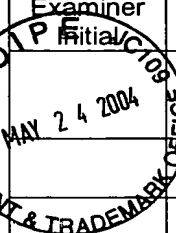
Foreign Patent Documents or Published Foreign Patent Applications

| Examiner Initial | Desig. ID | Document Number | Publication Date | Country or Patent Office | Class | Subclass | Translation | |
|------------------|-----------|-----------------|------------------|--------------------------|-------|----------|-------------|----|
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| | CD | 2004/002476 A2 | 01/08/04 | PCT | | | | |
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Other Documents (include Author, Title, Date, and Place of Publication)

| Examiner Initial | Desig. ID | Document |
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| | CF | Anderson et al. "Photodynamic therapy for sarcoma pulmonary metastases: a preclinical toxicity study," <i>Anticancer Res.</i> 23:3713-3718 (2003). |

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| Examiner Signature | Date Considered |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |

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|---|---|---|--|---|-------------------------------|
| Substitute Form PTO-1449 (Modified) | | U.S. Department of Commerce Patent and Trademark Office | | Attorney Docket No. 17105-059001 (25886-0095) | Application No. 10/613,474 |
| List of Patents and Publications for Applicant's Information Disclosure Statement (37 CFR §1.98(b)) | | | | Applicant R. Pandey et al. | |
| | | | | Filing Date July 2, 2003 | Group Art Unit 1624 |
| Other Documents (include Author, Title, Date, and Place of Publication) | | | | | |
| Examiner Initials | Desig. ID | Document | | | |
|  | CG | Certified English Translation of: Fischer, H. et al., "[On the Bromination of the Esters of Mesoisochlorin e4 and Mesochlorin e6]," <i>Berichte der Deutschen Chemischen</i> 75:1778-1795 (1942) | | | |
| | CH | Chen et al., "New directions in photodynamic therapy," <i>ICCP-2. 2nd International Conference on Porphyrins and Phthalocyanines</i> , 2002 30 June - 5 July; Kyoto, Japan: 78 [abstract S-26] | | | |
| | CI | Chen et al., "New technology for deep light distribution in tissue for phototherapy," <i>Cancer J</i> 8(2):154-163. (2002) | | | |
| | CJ | Chen et al., "Next-generation light delivery system for multitreatment extended-duration photodynamic therapy (MED-PDT)," <i>Proc SPIE</i> 2972:161-166 (1997). | | | |
| | CK | Database Crossfire Beilstein, Database Accession No. 4286587 (Reaction ID), for Levinson, E.G. et al., <i>Russ. J. Bioorg. Chem (Engl. Transl.)</i> 21(3):199-203 (1995) in Russian in the :Bioorg. Khim. 21(3):230-234 (1995) | | | |
| | CL | Derwent English Abstract, Accession No. 1996-475153, citing Russian Patent RU 2054944 C, published February 27, 1996, "Production of purpurin-18 for treatment of tumours - comprises extracting vegetable waste with ethanol, oxidative splitting, degreasing and purifying". | | | |
| | CM | Fischer, H. et al., "[On the Bromination of the Esters of Mesoisochlorin e4 and Mesochlorin e6]," <i>Berichte der Deutschen Chemischen</i> 75:1778-1795 (1942) | | | |
| | CN | Haslam et al., "Recent Developments in Methods for the Esterification and Protection of the Carboxyl Group," <i>Tetrahedron</i> 36: 2409-2433 (1980) | | | |
| | CO | Jones et al. "Photodynamic therapy for patients with advanced non-small-cell carcinoma of the lung," <i>Clin Lung Cancer</i> . 3(1):37-41 (2001) | | | |
| | CP | Li et al., "Application of Ruppert's reagent in preparing novel perfluorinated porphyrins, chlorins and bacteriochlorins", <i>J. Chem. Soc. Perkin Trans 1</i> , 1785-1787 (1999) | | | |
| | CQ | Li et al., "Synthesis, comparative photosensitizing efficacy, human serum albumin (site II) binding ability, and intracellular localization characteristics of novel benzobacteriochlorins derived from vic-dihydroxybacteriochlorins," <i>J Med Chem</i> . 46(25):5349-5359 (2003) | | | |
| | CR | Lustig et al., "A multicenter Phase I safety study of intratumoral photoactivation of talaporfin sodium in patients with refractory solid tumors," <i>Cancer</i> 98(8):1767-71 (2003) | | | |
| | CS | Patent Abstract of Japan citing Japanese Patent Application JP 09124652, published May 13, 1997, "Porphyrin Derivative and Use Thereof". | | | |
| | CT | Schmidt-Erfurth et al., "Photodynamic therapy of subfoveal choroidal neovascularization: clinical and angiographic examples," <i>Graefe's Arch Clin Exp Ophthalmol</i> . 236:365-374 (1998) | | | |
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| CW | Zheng et al., "Chlorin-based symmetrical and unsymmetrical dimers with amide linkages: effect of the substituents on photodynamic and photophysical properties," <i>J. Chem. Soc. Perkins 1</i> , pp.3113-3121 (2000) | | | | |
| CX | Zheng et al., "PDT using a novel LED light source and LS11 in a rat liver model," <i>30th Annual Meeting of the American Society for Photobiology</i> ; 2002 13-17 July; Quebec City, Canada. American Society for Photobiology: 33 [abstract 95] | | | | |

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|---|-----------------|
| Examiner Signature | Date Considered |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |